

2-86. Facility Response Plans (1200 TN 213 2-86)**1. AUTHORITY.** Pursuant to Section 311(j)(5) of the Clean Water Act, as amended (CWA):

- a. To approve means to ensure the availability of private personnel and equipment to implement facility response plans for non-transportation-related onshore facilities;
- b. To review and approve such plans for non-transportation related onshore facilities under Section 4202(b)(4) of the Oil Pollution Act of 1990 (OPA); and
- c. To authorize non-transportation-related onshore facilities to operate without approved response plans for non-transportation-related facilities under CWA Section 311(j)(5)(F).

2. TO WHOM DELEGATED.

- a. The authorities in 1.a. and 1.c. are delegated to the Director, Enforcement and Compliance Assurance Division (ECAD).
- b. The authority in 1.b. is delegated to the Director, ECAD; Chief, Data, Support and Prevention Branch, ECAD; and Chief, Oil and Prevention Enforcement Section, ECAD.
- c. The authority in 1.c. is delegated to the Director, Superfund and Emergency Management Division (SEMD); and Chief, Preparedness and Response Branch, SEMD.

3. LIMITATIONS. None.**4. REDELEGATION AUTHORITY.**

- a. This amendment may not be redelegated without formal amendment.
- b. An official who redelegates an authority retains the right to exercise or withdraw the authority. Redelegated authority may be exercised by any official in the chain of command down to the official to whom it has been specifically redelegated.

5. ADDITIONAL REFERENCES. None.**6. SUPERSESSION.** Delegations Manual, CWA, Regional Delegation 2-86. Facility Response Plans, 1200 TN RIII-207 (April 15, 2019).Date: 12.17.2019
Cosmo Servidio
Regional Administrator